

105TH CONGRESS  
1ST SESSION

# S. 53

To require the general application of the antitrust laws to major league baseball, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1997

Mr. HATCH (for himself, Mr. LEAHY, Mr. THURMOND, and Mr. MOYNIHAN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To require the general application of the antitrust laws to major league baseball, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Curt Flood Act of  
5 1997”.

### 6 **SEC. 2. APPLICATION OF THE ANTITRUST LAWS TO PRO-** 7 **FESSIONAL MAJOR LEAGUE BASEBALL.**

8 The Clayton Act (15 U.S.C. 12 et seq.) is amended  
9 by adding at the end the following new section:

1       “SEC. 27. (a) Subject to subsection (b), the antitrust  
2 laws shall apply to the business of professional major  
3 league baseball.

4       “(b) Nothing in this section shall be construed to af-  
5 fect—

6               “(1) the applicability or nonapplicability of the  
7 antitrust laws to the amateur draft of professional  
8 baseball, the minor league reserve clause, the agree-  
9 ment between professional major league baseball  
10 teams and teams of the National Association of  
11 Baseball, commonly known as the ‘Professional  
12 Baseball Agreement’, or any other matter relating to  
13 the minor leagues;

14              “(2) the applicability or nonapplicability of the  
15 antitrust laws to any restraint by professional base-  
16 ball on franchise relocation; or

17              “(3) the application of Public Law 87–331 (15  
18 U.S.C. 1291 et seq.) (commonly known as the  
19 ‘Sports Broadcasting Act of 1961’).”.

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